

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**B. B., a minor, by and
through his mother and next friend,
OWENA KNOWLES,**

Plaintiff,

v.

**PAWN CITY, INC., INTERSTATE
ARMS CORP., and NORINCO a/k/a
CHINA NORTH INDUSTRIES CORP.,
et al.,**

Defendants.

Case No.: 3:06-cv-00715-MHT

**DEFENDANT CHINA NORTH INDUSTRIES CORP.'S
JOINDER IN MOTION TO EXTEND SCHEDULING ORDER**

Comes now defendant China North Industries Corp. ("Norinco") and joins in Plaintiff's Motion to Extend Scheduling Order. Norinco concurs with the grounds set forth by Plaintiff as justification for extending the deadlines in the Scheduling Order entered by this Court on September 11, 2006. Norinco's delay in responding to Plaintiff's discovery is solely because of communication problems between Norinco and its counsel. Norinco believes this case to be eminently defensible and wishes to assure the Court and the other parties that Norinco is not seeking to delay these proceedings or to avoid responding to Plaintiff's discovery requests. Norinco and its counsel are attempting to correct their communication issues and hope to be in a position to respond to Plaintiff's discovery requests in the near future.

As additional grounds for an Order extending the deadlines in the Scheduling Order entered by this Court on September 11, 2006, Norinco states as follows:

1. On August 4, 2006, Plaintiff filed with the Circuit Court of Chambers County, Alabama, a Motion for Leave to Amend its Complaint to add as a defendant Qiqihar Hawk Industries (“Hawk”), the manufacturer of the shotgun made the subject of this action.

2. On August 10, 2006, Norinco removed this action to this Court pursuant to 28 U.S.C. § 1441(d).

3. On August 21, 2006, this Court granted Plaintiff’s Motion for Leave to Amend its Complaint to add Hawk as a defendant.¹

4. Although Hawk has not yet been served with process, Plaintiff’s counsel has informed the undersigned counsel that he is currently working with an international service agency to effect service on Hawk.

5. As the manufacturer of the product at issue, Hawk is an indispensable party pursuant to Fed. R. Civ. P. 19(a), and must be joined as a party in this action.

6. To facilitate the joinder of Hawk in this action, all deadlines in the Scheduling Order entered by this Court on September 11, 2006, should be extended by at least sixty (60) days.

WHEREFORE, defendant Norinco joins in Plaintiff’s Motion to Extend Scheduling Order and respectfully requests that this Court enter an Order extending all deadlines in the Scheduling Order by at least sixty (60) days.

¹ It does not appear that Plaintiff actually filed the proposed Amendment to Complaint after Plaintiff’s motion was granted.

s/ James C. Barton, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the above and foregoing with the Clerk of the Court on February 16, 2007, using the CM/ECF system, which will send notification of such filing to the following:

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